

**NEVADA STATE WELFARE DIVISION  
PUBLIC HEARING TO ADOPT REGULATIONS**

The Public Hearing to Adopt Regulations was brought to order by Gary Stagliano, Welfare Division Deputy Administrator, at 10:00 a.m. on Thursday, September 16, 2004. This meeting was conference-called between the Welfare Division Central Office, 1470 East College Parkway, Room #109, Carson City, Nevada and the Welfare Division Southern Professional Development Center, 701 North Rancho Drive, Conference Room, Las Vegas, Nevada.

**STAFF PRESENT**

Gary Stagliano, Deputy Administrator  
Jerry Allen, Chief, Child Care  
Vicki Kemp, Eligibility Program Specialist  
Debbie Fazzino, Child Support Program Specialist  
Marta Stagliano, Child Care Program Specialist  
Sharon Vail, Employee Development Manager  
Lynette Giles, Executive Assistant  
Amanda Aseph, Administrative Assistant  
Laurie Buck, Deputy Attorney General

**GUESTS PRESENT**

Gretche L. Marshall, Clark County Social Service  
Mildred J. Smith, Clark County Social service  
Heather Butler, Economic Opportunity Board  
Jim Hartzell, Economic Opportunity Board  
Willia Chaney, Smart Start  
Brenda Chaney, Smart Start  
Lolanda Burch, Godsend  
Sue Joyner, Carson, Dayton & Fernley Learning Centers  
Joy Rank, Dayton Valley Learning Center  
Kristen Joyner, Carson Learning Center

Mr. Stagliano opened the public hearing at 10:00 a.m. He explained the hearing is being conference-called between the Welfare Division's Central Office and Southern Professional Development Center. The meeting was posted in accordance with the Open Meeting Law. He briefly reviewed the items being heard today and explained how they will be presented.

## **I. CHILD SUPPORT ENFORCEMENT PROGRAM MANUAL:**

Ms. Fazzino said the proposed change states if a non-custodial parent (NCP) has more than one child support case open and one custodial parent is not found, the funds are currently returned to the Treasurer's Office as undistributed funds. Instead of having the funds in limbo, the proposed policy is to distribute these funds to the other case(s) the NCP has open. If the missing custodial parent reconnects with the program, the collections will begin again and distribution of these funds to the other families will cease.

Ms. Rank asked if child support collected by the division is going to the families. Mr. Stagliano explained there is often more than one custodial parent for an NCP and funds collected are distributed toward the court-ordered amount for both cases. If one custodial parent loses contact, the collected funds for both cases will be distributed to the other custodial parent(s) until contact with the missing custodial parent is made.

Hearing no further comments, Mr. Stagliano adopted the regulation on behalf of the Director of the Department of Human Resources, effective October 1, 2004.

## **II. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES POLICY MANUAL:**

Vicki Kemp explained when a TANF cash case is closed for non-cooperation with the New Employees of Nevada (NEON) Program, the current policy states they are given one month to cooperate with the program. Recipients in the NEON Program enter into a Personal Responsibility Plan (PRP) with their Employment and Training worker and if the case is closed because of non-cooperation with their PRP, they must wait to apply in the next month for benefits. The proposed amendment is to deny an application received prior to the end of the month benefits cease due to non-cooperation with the NEON Program.

Hearing no comment, Mr. Stagliano adopted the regulation on behalf of the Director of the Department of Human Resources, effective October 1, 2004.

## **III. CHILD CARE STATE PLAN AND POLICY MANUAL:**

Jerry Allen said the proposed amendment to the Child Care State Plan and Policy Manual is to revise the maximum weekly and daily rates paid to providers. Infant care will increase by 25%, toddler care by 20% and care for school-age children by 15%. This represents approximately \$4.5 million in additional funds being paid to providers. The change is effective October 1, 2004 and only the full- and part-time rates will be recognized. He explained the difference between the two rates and their individual reimbursement schedules. Child Care reimbursement is based on actual attendance only. Effective January 1, 2005, holidays, vacation and sick days will be replaced with discretionary days. To use discretionary days, a form must be completed and sent in to the program for reimbursement. Mr. Stagliano asked attendees to review the proposed rate increase and the fact sheet handouts which specify the changes Mr. Allen proposed. He clarified even if the state's

published rates are on the chart, the state will pay the lesser rate between the published and center's rates.

Susan Joyner asked for clarification on the fact sheet. The bottom paragraph has been changed and may confuse parents and providers. The Children's Cabinet reimburses centers for ten (10) holiday days a center may be closed. She asked if the paid holiday dates are being taken away. She believes the parents are only being given five (5) discretionary days and was under the impression the fifteen (15) days were in addition to the ten (10) holidays centers are currently given for holiday closures. It is unfair to a parent who has little money to be expected to pay for the days the center is closed. Mr. Allen said this change will not dictate which holidays the state pays for by giving parents fifteen (15) discretionary days for the child not to be in the center if it is open. Susan Joyner stated there will be a problem if a center is closed and the parent cannot claim the day as a discretionary day. This new policy will take that option away from families and only gives the discretionary days for days the center is open. She asked this particular section be revisited and adopted at another time.

Brenda Chaney applauded the efforts of the Child Care staff for raising the rates and asked when standardized statewide reimbursement rates will be done. Mr. Allen explained due to different costs of living and other factors in different geographic areas, each area in Nevada must be reviewed and rates adjusted separately. Mr. Stagliano said costs of child care services in Washoe County is higher than those in Clark County which could be due to many different aspects such as less competition and a higher cost of living.

Willia Chaney asked for the information to be distributed to the providers, as many centers in the south participated in the survey and would like to see the new rate schedule. Mr. Stagliano said staff contacted licensed centers statewide, via telephone, to get current rates and the rates are based on the information garnered from those surveys.

Lolanda Burch said she would like to have a list of all the providers who participated in the survey so they can speak to each other and meet to discuss the rate schedule. Mr. Stagliano explained federal regulations state the identifying information is confidential and only the rates can be disclosed. He offered her a copy of the questionnaire and encouraged the providers to meet to discuss rates and how they would like to see them prepared.

Willia Chaney noted the discretionary dates are beneficial to her center as she's open 24 hours a day, seven days a week, but she understands other centers will be losing money if their center is closed. Mr. Stagliano noted if the parent is working on a holiday, another caretaker must be found and paid. The program is trying to find a balance between holidays, sick days and vacation days, so the fifteen (15) discretionary days were allotted for the parents to make their own decision when their child will be out of the center and the day(s) paid. Susan Joyner believes parents should be able to use their discretionary days for dates a center may be closed. She explained how her centers charge families for child care and does not understand why a center should not be paid for the holidays. With these discretionary days only available for days the center is open, the parent will have to pay the center cash for the dates the center is closed. She would like to know if other centers are open on holidays and is happy with the all of the proposed policy changes except for this

particular one. Mr. Stagliano offered a compromise of fifteen (15) days throughout the year without the clause about the center being open. In response to a question from Mr. Stagliano, Willia Cheney said it would not affect her center either way, so she had no comment about this change. After a brief discussion, it was agreed to remove the reference to a center being open from the language. The clause will read, "These discretionary days may be used for any reason." , with the language, "...as long as the child care facility is open and available for service." stricken.

Hearing no further comments, Mr. Stagliano adopted the regulation on behalf of the Director of the Department of Human Resources, with the change noted above effective January 1, 2005. Laurie Buck noted this policy is being adopted as a change to the Child Care Policy Manual.

Mr. Allen then read a letter from Child Care Association of Nevada into the record and provided a copy for the permanent record.

#### **IV: CHILD CARE STATE PLAN AND POLICY MANUAL:**

Mr. Allen said the proposed change to the sliding fee scale is to update the median income to 2005 levels while decreasing co-payment increments from 15% to 10% so a parent earning a wage gain can stay at a certain co-payment level longer so the child care co-payment does not take their raise in pay. Mr. Stagliano thanked everyone for their input about this issue and bringing it to the state's attention so it could be taken care of. He believes this is a positive change for families and hopes to narrow the gap in the amount a family receiving child care assistance pays to their provider.

Hearing no comment, Mr. Stagliano adopted the regulation on behalf of the Director of the Department of Human Resources, effective November 1, 2004.

#### **V. GENERAL PUBLIC COMMENTS:**

None received.

Mr. Stagliano thanked the child care community for their assistance in making improvements to the state's Child Care Program. Hearing no further public comments, Mr. Stagliano closed the public hearing at 10:43 a.m.